

**A SUBSTITUTE RESOLUTION**

**03-R-0039**

**BY TRANSPORTATION COMMITTEE**

**A SUBSTITUTE RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE AN AGREEMENT WITH THE ATLANTA AIRLINES TERMINAL CORPORATION (AATC) FOR ACCOMPLISHMENT BY AATC OF REPLACING TWO EXISTING ELECTRIC CHILLERS IN THE CENTRAL PLANT AT THE CENTRAL PASSENGER TERMINAL COMPLEX AT HARTSFIELD ATLANTA INTERNATIONAL AIRPORT, FOR A COST TO THE CITY NOT TO EXCEED \$2,158,840.00, TO BE CHARGED TO AND PAID FROM FUND ACCOUNT CENTER NO. 2H27 574001 R21E012493CG.**

**WHEREAS**, the City of Atlanta ("City"), as owner and operator of the Hartsfield Atlanta International Airport, has entered into certain Lease Agreements, dated March 22, 1978, as amended with various airlines ("Contracting Airlines") serving the Airport, which covers the planning, design, development, construction, maintenance and operation, and expansion of the Central Passenger Terminal Complex ("CPTC") at the Airport, with the City having responsibility for capital replacement items; and

**WHEREAS**, the Contracting Airlines formed the Atlanta Airlines Terminal Corporation ("AATC") to manage and operate the jointly leased and common use areas, including the Terminal Boiler Plant, of the CPTC on behalf of the Airlines collectively; and

**WHEREAS**, the two electric chillers will be installed before the summer of 2003 to supply additional cooling in case the boilers fail to operate and leave the central plant without a means of providing cooling in the CPTC area; and

**WHEREAS**, it is appropriate for AATC to assume responsibility for the accomplishment of certain repairs, replacements, and upgrades of the Terminal Boiler Plant, with the cost thereof to be reimbursed by the City, as referenced in Section 6.01B of the CPTC Lease with the Contracting Airlines.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA** that the Mayor or her designee be and hereby is authorized to execute on behalf of the City an Agreement with AATC whereby AATC shall remove and replace the two (2) electric chiller units in the Terminal Boiler Plant, subject to receiving prior approval by the City's Aviation General Manager regarding the timing of the work and the City shall reimburse AATC for the cost thereof in a total amount not to exceed \$2,158,840.00, to be charged to and paid from Fund Account Center No. 2H27 574001 R21E012493CG.

**BE IT FURTHER RESOLVED** that the City Attorney be and hereby is directed to prepare said Agreement for execution by the Mayor.

**BE IT FINALLY RESOLVED** that said Agreement shall not become binding upon the City, and the City shall incur neither obligation nor liability thereunder, until the same has been signed by the Mayor and delivered to AATC.